

Students

Alcohol, Drugs, and Tobacco

The possession, use, and sale of controlled substances is a violation of the State Statutes and the use of illicit drugs and unlawful possession and use of alcohol is wrong and harmful. Because they are violations of the law, the following procedures have been outlined that must be adhered to if the offenses occur on school property, in a school vehicle, or at a school-sponsored activity. All students and parents are to be informed of this policy and regulation.

It is the policy of the Board that the schools to take positive action through education, counseling, parental involvement, medical referral, and police referral in the handling of incidents in the schools involving the possession, sale, and/or use of behavior affecting substances. These substances shall include but not be limited to alcohol and controlled substances as defined by the Penal Code of the State of Connecticut.

Possession and/or Use (Narcotics/Alcohol Abuse)

1. First Offense

- A. Parent and police are notified that the student is in possession of narcotics/alcohol. A Case Incident Report is filled out by the appropriate administrator.
- B. A list of appropriate licenses agencies which can assess and treat drug and/or alcohol abuse will be given to the parent and students. This list will include:
 - (1) Name of agency
 - (2) Contact person
 - (3) Telephone number
- C. Parent and student informed that if alleged substance is tested and proved to be a controlled substance, student will be suspended for ten (10) days and referred to the police for further investigation.

2. Second Offense

Same steps are taken as above, but instead of suspension, the student will be recommended for expulsion.

Sale/Distribution of a Controlled Substance

- 1. Parent and police are notified of sale. A Case Incident Report is filled out by the appropriate administrator.

Students

Alcohol, Drugs, and Tobacco

Sale/Distribution of a Controlled Substance (continued)

2. Parent and student informed that, if alleged substance is tested and proved to be a controlled substance, student will be suspended for ten (10) days, arrested by the police, and considered for expulsion.

This directive does not apply to special education students who will be treated in accordance with the due process procedures of the Education of the Handicapped Act.

It is expected that all administrators will adhere to this directive.

Policy adopted: August 14, 1995

NEW HAVEN PUBLIC SCHOOLS
New Haven, Connecticut

Students

Alcohol, Drugs, and Tobacco

Definition of Substance Abuse

Controlled drugs are those drugs which contain any quantity of a substance which has been designated as subject to federal narcotic laws, or which has been designated as a depressant or stimulant drug pursuant to federal drug laws, or which has been designated by the public health council and commissioner of consumer protection pursuant to section 21a-243 of the Connecticut General Statutes as having a stimulant, depressant or hallucinogenic effect upon the higher function of the central nervous system and as having a tendency to promote abuse and/or psychological dependence. [C.G.S. 21a-240, subsection (8)]

Board of Education policy differentiates between voluntary and involuntary disclosure of a drug, alcohol, or substance abuse problem.

Voluntary Disclosure

If a student voluntarily tells a staff member of a drug, alcohol, or substance abuse problem:

- A. A staff member who is informed of a drug, alcohol, or substance abuse problem may at the insistence of the student maintain the confidence within the limits of his/her professional code of ethics and in consistency with the laws of confidentiality. The staff member must, however, make every effort to guide the student to the kind of help he/she needs.
- B. A staff member may, without disclosing the name of the student, obtain advice and information on the resources available to the student and himself/herself refer the student to appropriate local resources.
- C. If the student will allow disclosure of the drug, alcohol, or substance abuse problem, the staff member will report to the student's guidance counselor or department of student services mental health professional and the building Principal.
- D. The guidance counselor or department of student services mental health professional will upon confirmation of an alcohol, drug, or substance abuse problem by a student under eighteen years of age hold a conference with the parent. Corrective plans will be developed with the cooperation and consent of the parents and the student. The parents will be given a written copy of the conference minutes and recommendations for corrective plans.

Students

Alcohol, Drugs, and Tobacco

Voluntary Disclosure (continued)

- E. Copies of the conference minutes and corrective plans will be kept in the guidance counselor or department of student services worker's professional file.
- F. The counselor or department of student services mental health professional will maintain contact with the student and his/her family regarding the problem.
- G. The building principal will in all cases be informed of all activity relative to confirmation and aiding the student to solve his/her alcohol, drug, or substance abuse problem.
- H. A professional employee who obtains physical evidence in the form of alcohol, drugs, or illegal substances voluntarily surrendered by a student must turn the evidence over to the school principal immediately. The professional employee is not required to disclose the name of the student from whom the evidence was obtained.

Involuntary Disclosure

When information relative to drug, alcohol, or substance abuse is brought to the attention of the school or obtained through routine school activity, such information is considered as obtained through involuntary disclosure and matters of confidentiality do not apply.

If a staff member has knowledge of an alcohol, drug, or substance abuse problem:

- A. The staff member will report the information immediately to the building principal.
- B. Staff members who obtain physical evidence in the form of alcohol or drugs from a student are required to turn the evidence over to the school principal immediately. The professional employee must disclose the name of the student from whom the evidence was obtained.

Search of students' lockers, desks, or other depositories is covered by Board of Education policy. Under the rules of the Board of Education, as authorized by Section 10-221 of the General Statutes for the maintenance of discipline in the school, an authorized school administrator may search a student's locker or desk under three conditions:

Students

Alcohol, Drugs, and Tobacco

Involuntary Disclosure (continued)

- The probable presence of contraband materials poses a serious threat to the maintenance of discipline and order in the school.
- There is reason to believe one or more students have contraband materials in desks or lockers.
- The students have been informed in advance that, under school board regulations, desks and lockers may be inspected if the administration has reason to suspect that materials injurious to the best interests of the school are kept on school property.

Any controlled drug or alcoholic beverage surrendered by a student or obtained through a search of lockers or desks is to be turned over to the school principal. The principal will, within three days of its receipt, surrender the drugs or alcohol to appropriate law enforcement officials.

Students found in possession and/or use of a controlled drug or alcoholic beverage in school or on school property are subject to arrest. In the event that a student is to be arrested, the building principal or his/her designee will attempt to contact the parent prior to calling the police and inform them of the potential arrest.

Any law enforcement official who questions a student or staff member will do so in the presence of the building principal or his/her designee. Every effort will be made to include the parents or guardian of the student in hearings which carry an implication of the possible allegation of guilt or the furnishing of information leading to an indictment. The student's right to remain silent or to speak through an attorney or parent will not be abridged.

Students found in possession and/or use of a controlled drug or alcoholic beverage will be suspended from school.

Students suspended from school for possession and/or use of a controlled drug or alcoholic beverage are required to meet with the building principal or his/her designee along with the student's parents or guardian, a guidance counselor, department of student services mental health professional, and school nurse. Corrective plans will be recommended and the parents notified in writing at the time of the suspension. Arrangements for further follow-up will be made.

The counselor or department of student services mental health professional will maintain contact with the student and his/her family regarding the problem.

Students

Alcohol, Drugs, and Tobacco

Drug and Alcohol Distribution in the School

School personnel are forbidden to act in a law enforcement capacity. All individuals suspected of drug or alcohol distribution on school property or at a school sponsored activity must be reported to the principal who, after determining that distribution has occurred, will call a law enforcement official.

In all cases of emergency or of clear danger, the schools will cooperate with the police.

Whenever a student is expelled for the sale or distribution of drugs or alcohol, the student will be referred for counseling and rehabilitation. The name of the student will be sent to the commissioner of education within thirty days after the student is expelled. Whenever the Board of Education notifies a student between the ages of sixteen and eighteen or the parents or guardians of such students that an expulsion hearing will be held, the notification will include a statement that the Board is not required to offer an alternative educational opportunity to any student who is found guilty of offering for sale or distribution alcohol or controlled drugs on school property or at a school sponsored activity.

Emergencies

If a student's condition or behavior creates an emergency situation which may be due to drug or alcohol activity, the actions toward the student should be channeled through the school nurse under the direction of the principal.

A professional staff person perceiving a student to be under the influence of alcohol, drugs, or other substances will immediately notify the principal and the school nurse giving all pertinent information. Written records of the incident will be kept in the principal's confidential file.

Students

Alcohol, Drugs, and Tobacco

Emergencies (continued)

The school nurse will advise the school principal of the severity of the emergency.

- A. If it is determined that a student under the influence of drugs or alcohol is in need of immediate medical attention, the student will be transported to an area hospital and the parent notified.
- B. If immediate medical attention is not required, the parent or guardian will be called and asked to take the student home.

Students treated for emergencies related to alcohol or drug abuse will be suspended from school.

Students suspended from school for possession and/or use of a controlled drug or alcoholic beverage are required to meet with the student's parents or guardian, a guidance counselor, department of student services mental health professional, and school nurse. Corrective plans will be recommended and the parents notified in writing at the time of suspension. Arrangements for further follow-up contact will be made.

In the event that a student is hospitalized for alcohol, drug, or substance abuse related problems, the planning and placement team will convene and consult with the student's medical and/or psychiatric advisers, his/her parents or guardian and, if feasible, with the student to plan an individualized education program. The Board of Education will assume legitimate educational costs.

The student will remain on the individualized education program until such time as medical opinion, the planning and placement team, the parents or guardian, and the student conclude it is no longer necessary. Readmission to schools will be on the advice of the student's medical or psychiatric consultant(s).

Instruction

The professional staff shall become more aware of the problem, and become more expert in recognition of the symptoms of such use. Annually, teachers in each grade shall emphasize the effect of alcohol, nicotine, tobacco, and drugs on health, character, and personality development wherever appropriate in the health education program and such other contexts which touch on the subject.

Students

Alcohol, Drugs, and Tobacco

Instruction (continued)

It is desired that the administration make use of in-service training sessions for both certified and non-certified staff in order to achieve the goals of this board-adopted regulation, and that full cooperation with community agencies be given wherever such cooperation can work to the advantage of the student.

Legal Reference: Connecticut General Statutes

10-16b Prescribed courses of study.

10-19 Effect of alcohol, nicotine or tobacco and drugs to be taught. Training of personnel. Study of prevention program. Report of findings and recommendations.

10-154a Professional communications between teacher or nurse and student. Surrender of physical evidence obtained from students.

10-220b Policy statement on drugs.

10-221(d) Boards of education to prescribe rules.

10-233d Expulsion of pupils. Hearing format. Age limitation for the provision of an alternative educational opportunity; exceptions.

21a-240 Definitions. (8) "Controlled drugs".

21a-277 Penalty for illegal manufacture, distribution, sale, prescription, dispensing.

21a-278 Penalty for illegal manufacture, distribution, sale, prescription or administration by non-drug-dependent person.

Regulation approved: August 14, 1995

NEW HAVEN PUBLIC SCHOOLS
New Haven, Connecticut